



SEC. 102. The Central Intelligence Agency Act of 1949, 63 Stat. 208, as amended (50 U.S.C. 403 a through j), is further amended as follows:

(a) Section 3 of the Act (50 U.S.C. 403c) is amended by striking subsections (a) and (b) and substituting the following:

"(a) In the performance of its functions, the Agency is authorized to exercise the authorities contained in sections 2301; 2302 (2) and (3); 2303 (b) and (c); 2304(a) (1), (2), (3), (4), (5), (6), (10), (12), (15), and (17); 2305; 2306; 2307; and 2312 of title 10, United States Code.

"(b) In the exercise of the authorities granted in subsection (a) of this section, the term 'Agency head' shall mean the Director, the Deputy Director, or the Executive Director."

(b) Subsection 3(d) of the Act (50 U.S.C. 403c) is amended by deleting the words "section 2(c) and section 5(a) of the Armed Services Procurement Act of 1947" from the first sentence and substituting therefor, "section 2304(a) and section 2307 of title 10, United States Code." Section 3(d) is further amended by deleting the words "section 2(c) by section 4 or by section 5(a) of the Armed Services Procurement Act of 1947" from the second sentence and substituting therefor, "section 2304(a), by section 2306 or by section 2307 of title 10, United States Code."

SEC. 103. Section 4 of the Central Intelligence Agency Act (50 U.S.C. 403e) is amended by inserting the word and comma "abroad," after the word "assigned" in the first sentence, and by striking the last word of the sentence "shall", and inserting in lieu thereof the word "may".

SEC. 104. Section 4 of the Central Intelligence Agency Act (50 U.S.C. 403e) is amended by adding the following new paragraph:

"(1) (G) pay the travel expenses of officers and employees of the Agency and members of their families, while serving at posts specifically designated by the Director for purposes of this paragraph, for rest and recuperation to other locations abroad having different environmental conditions than those at the post at which such officers and employees are serving, provided that such travel expenses shall be limited to the cost for each officer or employee and members of his family of one round trip during any continuous two-year tour unbroken by home leave and two round trips during any continuous three-year tour unbroken by home leave;"

SEC. 105. Section 4 of the Central Intelligence Agency Act (50 U.S.C. 403e) is amended by adding the following new paragraph:

"(1) (H) pay the travel expenses of members of the family accompanying, preceding, or following an officer or employee if, while he is en route to his post of assignment, he is ordered temporarily for orientation and training or is given other temporary duty."

SEC. 106. Section 4(3) (A) of the Central Intelligence Agency Act (50 U.S.C. 403e) is amended to read as follows:

"(3) (A) order to any of the several States of the United States of America (including the District of Columbia, the Commonwealth of Puerto Rico, and any territory or possession of the United States) on leave of absence authorized in section 203(f) of the Annual and Sick Leave Act of 1951, as amended, each officer or employee of the Agency who was a resident of the United States (as described above) at the time of employment, upon completion of three years' continuous service abroad or as soon as possible thereafter, or may so order after completion of eighteen months' such service without regard to the limitation contained in section 203(f) of the Annual and Sick Leave Act of 1951, as amended."

SEC. 107. Section 4(5) of the Central Intelligence Agency Act (50 U.S.C. 403e) is amended by striking subsections (A) and (C)

AMEND THE CENTRAL INTELLIGENCE AGENCY ACT OF 1949

Mr. PHILBIN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 16306) to amend the Central Intelligence Agency Act of 1949, as amended, and for other purposes, as amended.

The Clerk read as follows:

H.R. 16306

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I

SEC. 101. This title may be cited as the "Central Intelligence Agency Act Amendments of 1966".

and inserting in lieu thereof the following new paragraphs (A) and (C):

"(A) In the event an officer or employee of the Agency, or one of his dependents, requires medical care, for illness or injury not the result of vicious habits, intemperance, or misconduct, while on assignment abroad in a locality where there is no qualified person or facility to provide such care, pay the travel expenses of such officer, employee, or dependent by whatever means deemed appropriate by the Agency, including the furnishing of transportation, and without regard to the Standardized Government Travel Regulations and section 10 of the Act of March 3, 1933, as amended (60 Stat. 808; 5 U.S.C. 73b), to the nearest locality where suitable medical care can be obtained and on his recovery pay for the travel expenses of his return to his post of duty. If any such person is too ill to travel unattended, or in the case of a dependent too young to travel alone, the Agency may also pay the round-trip travel expenses of an attendant or attendants."

"(C) (1) In the event of illness or injury requiring hospitalization or similar treatment incurred by an officer or employee of the Agency while on assignment abroad, not the result of vicious habits, intemperance, or misconduct on his part, pay for the cost of treatment of such illness or injury;

"(2) In the event a dependent of an officer or employee of the Agency who is assigned abroad, incurs an illness or injury while such dependent is located abroad, which requires hospitalization or similar treatment, and which is not the result of vicious habits, intemperance, or misconduct on his part, pay for that portion of the cost of treatment of each such illness or injury that exceeds \$35 up to a maximum limitation of one hundred and twenty days of treatment for each such illness or injury, except that such maximum limitation shall not apply whenever the Agency, on the basis of professional medical advice, shall determine that such illness or injury clearly is caused by the fact that such dependent is or has been located abroad;"

Sec. 108. Section 4 of the Central Intelligence Agency Act (50 U.S.C. 403e) is amended by adding the following new paragraph:

"(B) provide appropriate orientation and language training to members of family of officers and employees of the Agency in anticipation of the assignment abroad of such officers and employees, or while abroad."

Sec. 109. Section 5 of the Central Intelligence Agency Act (50 U.S.C. 403f) is amended by adding the following new paragraph:

"(f) Appoint advisory committees and employ, notwithstanding any other provisions of law, part-time advisory personnel necessary to carry out the functions of the Agency. Persons holding other offices or positions under the United States for which they receive compensation, while serving as members of such committees, shall receive no additional compensation for such service. Other members of such committees and part-time advisory personnel so employed may serve without compensation or may receive compensation at rates determined by the Director, not to exceed \$100 per day, for the assignment or position."

Sec. 110. Section 5 of the Central Intelligence Agency Act (50 U.S.C. 403f) is amended by adding the following new paragraph:

"(g) Upon the termination of the assignment of an employee appointed from another Government agency without a break in service for duty with the Agency for a specific period of time agreed upon by both agencies, such person will be entitled to reemployment in such other Government agency in the position occupied at the time of assignment, or in a position of comparable salary, or, at the volition of the other Government agency, to a position of higher salary. Upon reemployment, the employee shall receive the within-grade salary ad-

vancements and other salary adjustments he would have been entitled to receive had he remained in the position in which he was employed prior to assignment to the Agency."

Sec. 111. Section 5 of the Central Intelligence Agency Act (50 U.S.C. 403f) is amended by adding the following new paragraph:

"(h) Settle and pay, whenever the Director determines that payment will further purposes of this Act, without regard to any other provisions of law and under such regulations as the Director may prescribe, in an amount not exceeding \$10,000, any claim against the United States for loss of or damage to real or personal property (including loss of occupancy or use thereof), belonging to, or for personal injury or death of, any person not a citizen or resident of the United States, where such claim arises abroad out of the act or omission of any Agency employee or out of the act or omission of any person acting on behalf of the Agency but only if such claim is presented in writing to the Agency activity involved within one year after it accrues."

TITLE II

Sec. 201. This title may be cited as the "Central Intelligence Agency Retirement Act Amendments of 1966."

Sec. 202. The Central Intelligence Agency Retirement Act of 1964 for Certain Employees (78 Stat. 1043; 50 U.S.C. 403 note) is amended by striking subsection 204(b)(3) and inserting the following in lieu thereof:

"(3) 'Child', for the purposes of section 221 and 232 of this Act, means an unmarried child, including (1) an adopted child, and (2) a stepchild or recognized natural child who lived with the participant in a regular parent-child relationship, under the age of eighteen years, or such unmarried child regardless of age who because of physical or mental disability incurred before age eighteen is incapable of self-support, or such unmarried child between eighteen and twenty-two years of age who is a student regularly pursuing a full-time course of study or training in residence in a high school, trade school, technical or vocational institute, junior college, college, university, or comparable recognized educational institution. A child whose twenty-second birthday occurs prior to July 1 or after August 31 of any calendar year, and while he is regularly pursuing such a course of study training, shall be deemed for the purpose of this paragraph and section 221(e) of this Act to have attained the age of twenty-two on the first day of July following such birthday. A child who is a student shall not be deemed to have ceased to be a student during any interim between school years if the interim does not exceed five months and if he shows to the satisfaction of the Director that he has a bona fide intention of continuing to pursue a course of study or training in the same or different school during the school semester (or other period into which the school year is divided) immediately following the interim. The term 'child', for purposes of section 241, shall include an adopted child and a natural child, but shall not include a stepchild."

Sec. 203. Section 221(b) of the Central Intelligence Agency Retirement Act (50 U.S.C. 403 note) is amended by deleting the words "or remarriage" from the first sentence, and section 232(b) is amended by deleting the words "or remarriage" from the second sentence.

Sec. 204. Section 221(e) of the Central Intelligence Agency Retirement Act (50 U.S.C. 403 note) is amended to read as follows:

"(e) The commencing date of an annuity payable to a child under paragraph (c) or (d) of this section, or (c) or (d) of section 232, shall be deemed to be the day after the annuitant or participant dies, with payment beginning on that day or beginning or resuming on the first day of the month in which

the child later becomes or again becomes a student as described in section 204(b)(3), provided the lump-sum credit, if paid, is returned to the fund. Such annuity shall terminate on the last day of the month before (1) the child's attaining age eighteen unless he is then a student as described or incapable of self-support, (2) his becoming capable of self-support after attaining age eighteen unless he is then such a student, (3) his attaining age twenty-two if he is then such a student and not incapable of self-support, (4) his ceasing to be such a student after attaining age eighteen unless he is then incapable of self-support, (5) his marriage, or (6) his death, whichever first occurs."

Sec. 205. Section 221 of the Central Intelligence Agency Retirement Act (50 U.S.C. 403 note) is amended by deleting the last two sentences of subsection (f), and adding the following new paragraphs (g) and (h):

"(g) Except as otherwise provided, the annuity of a participant shall commence on the day after separation from the service, or on the day after salary ceases and the participant meets the service and the age or disability requirements for title thereto. The annuity of a participant under section 234 shall commence on the day after the occurrence of the event on which payment thereof is based. An annuity otherwise payable from the fund allowed on or after date of enactment of this provision shall commence on the day after the occurrence of the event on which payment thereof is based.

"(h) An annuity payable from the fund on or after date of enactment of this provision shall terminate (1) in the case of a retired participant, on the day death or any other terminating event occurs, or (2) in the case of a survivor, on the last day of the month before death or any other terminating event occurs."

Sec. 206. Section 252 of the Central Intelligence Agency Retirement Act (50 U.S.C. 403 note) is amended by deleting subsection (c) (1); renumbering subsections (c) (2) and (c) (3) to read (c) (3) and (c) (4); and inserting the following new subsections (c) (1) and (c) (2):

"(c) (1) If an officer or employee under some other Government retirement system becomes a participant in the system by direct transfer, the Government's contributions under such retirement system on behalf of the officer or employee shall be transferred to the fund and such officer or employee's total contributions and deposits, including interest accrued thereon, except voluntary contributions, shall be transferred to his credit in the fund effective as of the date such officer or employee becomes a participant in the system. Each such officer or employee shall be deemed to consent to the transfer of such funds and such transfer shall be a complete discharge and acquittance of all claims and demands against the other Government retirement fund on account of service rendered prior to becoming a participant in the system.

"(c) (2) If a participant in the system becomes an employee under another Government retirement system by direct transfer to employment covered by such system, the Government's contributions to the fund on his behalf may be transferred to the fund of the other system and his total contributions and deposits, including interest accrued thereon, except voluntary contributions, may be transferred to his credit in the fund of such other retirement system at the request of the officer or employee effective as of the date he becomes eligible to participate in such other retirement system. Each such officer or employee in requesting such transfer shall be deemed to consent to the transfer of such funds and such transfer shall be a complete discharge and acquittance of all claims and demands against the fund on account of service rendered prior to his becoming eligible for participation in such other system."

Sec. 207. Section 273 of the Central Intelligence Agency Retirement Act (50 U.S.C. 403 note) is amended by deleting subsection (a); renumbering subsection (b) to read (c); and inserting the following new subsections (a) and (b):

"(a) Notwithstanding any other provision of law, any annuitant who has retired under this Act and who is reemployed in the Federal Government service in any appointive position either on a part-time or full-time basis shall be entitled to receive the salary of the position in which he is serving plus so much of his annuity payable under this Act which when combined with such salary does not exceed during any calendar year the basic salary such officer or employee was entitled to receive on the date of his retirement from the Agency. Any such reemployed officer or employee who receives salary during any calendar year in excess of the maximum amount which he may be entitled to receive under this paragraph shall be entitled to such salary in lieu of benefits hereunder.

"(b) When any such annuitant is reemployed, he shall notify the Director of Central Intelligence of such reemployment and shall provide all pertinent information relating thereto."

Sec. 208. Section 201 of the Central Intelligence Agency Retirement Act (50 U.S.C. 403 note) is amended to read as follows:

"Sec. 201. (a) On the basis of determinations made by the Director pertaining to per centum change in the price index, the following adjustments shall be made:

"(1) Effective the first day of the third month which begins after the date of enactment of this amendment each annuity payable from the fund which has a commencing date not later than such effective date shall be increased by (a) the per centum rise in the price index, adjusted to the nearest one-tenth of 1 per centum, determined by the Director on the basis of the annual average price index for calendar year 1962 and the price index for the month latest published on date of enactment of this amendment, plus (b) 1½ per centum. The month used in determining the increase based on the per centum rise in the price index under this subsection shall be the base month for determining the per centum change in the price index until the next succeeding increase occurs.

"(2) Each month after the first increase under this section, the Director shall determine the per centum change in the price index. Effective the first day of the third month which begins after the price index shall have equaled a rise of at least 3 per centum for three consecutive months over the price index for the base month, each annuity payable from the fund which has a commencing date not later than such effective date shall be increased by the per centum rise in the price index (calculated on the highest level of the price index during the three consecutive months) adjusted to the nearest one-tenth of 1 per centum.

"(b) Eligibility for an annuity increase under this section shall be governed by the commencing date of each annuity payable from the fund as of the effective date of an increase, except as follows:

"(1) Effective from its commencing date, an annuity payable from the fund to an annuitant's survivor (other than a child entitled under section 221(c)), which annuity commences the day after annuitant's death and after the effective date of the first increase under this section, shall be increased by the total per centum increase the annuitant was receiving under this section at death.

"(2) For purposes of computing an annuity which commences after the effective date of the first increase under this section to a child under section 221(c), the items \$600,

\$720, \$1,800, and \$2,160 appearing in section 221(c) shall be increased by the total per centum increase allowed and in force under this section for employee annuities, and, in the case of a deceased annuitant, the items 40 per centum and 50 per centum appearing in section 221(c) shall be increased by the total per centum increase allowed and in force under this section to the annuitant at death.

"(c) The term 'price index' shall mean the Consumer Price Index (all items—United States city average) published monthly by the Bureau of Labor Statistics. The term 'base month' shall mean the month for which the price index showed a per centum rise forming the basis for a cost-of-living annuity increase.

"(d) No increase in annuity provided by this section shall be computed on any additional annuity purchased at retirement by voluntary contributions.

"(e) The monthly installment of annuity after adjustment under this section shall be fixed at the nearest dollar, except that such installment shall after adjustment reflect an increase of at least one dollar."

TITLE III—MISCELLANEOUS

Sec. 301. Section 102(b) of the Federal Employees Pay Act of 1945, as amended (5 U.S.C. 902(b)), relating to exemption from coverage under the Act, is amended by striking out "and" immediately preceding "(7)" therein and by inserting before the period at the end thereof "; and (8) officers and employees of the Central Intelligence Agency."

The SPEAKER pro tempore. Is a second demanded?

Mr. ARENDS. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

Mr. PHILBIN. Mr. Speaker, I yield myself such time as I may require.

Mr. Speaker, we have a bill before us today which, although it has 20 individual sections, is designed to do only one single thing and that is, attempt to place our Central Intelligence people in the same position as other Government employees who live and work under substantially the same conditions.

To put it another way, the bill is designed to help the CIA catch up with a number of recently enacted laws which apply to Foreign Service employees and to other Government employees but which did not, when enacted, encompass the CIA. It is as simple as that. There is virtually nothing new in the bill as that term would be used with respect to the Government as a whole.

As I said, there are 20 sections in this bill, most of them unrelated to each other. There is, obviously, no feasible way to summarize briefly what the bill will do since it does so many and varied things. I will, therefore, deal as briefly as I can with each of the sections. However, it can be said that three of the sections merely provide short titles or correct citations to conform to the code. Nine sections do nothing more than bring the CIA Act into conformity with appropriate modifications which have been made to the Foreign Service Act, and four sections merely conform the CIA Retirement Act to recent changes made in the Civil Service Retirement Act. And another section only provides for the settlement of claims overseas.

There are a number of very minor amendments to the bill, most of them merely to correct printer's errors. There are, however, three amendments of reasonable substance, two of them additions and one a deletion.

The first of these amendments, and it was at the request of the CIA, will add the Executive Director of the CIA to those who will be within the definition of "Agency head." With this addition, the "Agency head" will be considered to be the Director, the Deputy Director, or the Executive Director.

The second amendment appears in section 109. This section relates to the hiring of advisory personnel and consultants. As the bill was presented to the committee, payment for such consultant was to be "at rates determined by the Director." The committee modified the language to place an upper limit of \$100 per day on consultant fees. This is a limit that obtains in many Government departments such as AEC, FAA, and NASA.

The third amendment is the deletion in its entirety of section 112. This section would have granted authority to the Director of CIA to accept gifts, bequests, and so forth, for the use of the Agency or for the use of employees and their dependents. It was very broadly worded and would have granted authority which is more extensive than that available to any other Government Agency. It was discussed at length in committee and it was finally decided to delete the section, and redraft, as separate legislation, a bill which would be more limited in scope and more tightly drawn.

I will at this time deal as briefly as I can with each section of the bill.

TITLE I

Section 101 does nothing but provide a short title for title I.

Section 102: The Armed Forces Procurement Act of 1947 has now been codified in title 10 of the United States Code. Section 102 merely takes cognizance of this fact by citing the Code.

Section 103 makes two amendments to the CIA Act. First, it inserts the word "abroad" after the word "assigned" so that the pertinent portion of the language reads "employees assigned abroad to duty stations outside the United States." The significance of the word "abroad" is to provide a definition as to what "abroad" means. Specifically it makes clear that Hawaii and Alaska are considered to be "abroad."

The second amendment is to change the word "shall" to the word "may" in introducing the many authorities which the Agency has with respect to travel expenses, transportation of furniture, packing and unpacking, leaves of absence, hospitalization in the case of illness or injury, establishing first-aid stations, and so forth.

Testimony before the committee indicated that experience has revealed that the literal provision of a travel or leave benefit, for instance, at all times and in all circumstances in exactly the same manner, is not appropriate and therefore permissive rather than mandatory authority should be provided.

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Section 104 provides a new authority. It will permit the Agency to pay the travel expenses of officers and employees of the Agency and members of their families to travel from a hardship post to an area having different environmental conditions for rest and recuperation. Such travel is limited to one round-trip during any continuous 2-year tour and two round-trips during any continuous 3-year tour.

The Foreign Service Act contains this authority for Foreign Service personnel.

Section 105: Not infrequently, assignment of Agency employees to their permanent posts of duty requires a deviation from the most direct route to another Agency post in order to provide orientation and training. Under existing law the family of the employee must either wait in the United States or proceed ahead of him to the permanent post. Section 105 of the bill would permit the payment of travel expenses for the family to accompany him to the interim stopoff point.

This authority is provided in the Foreign Service Act for Foreign Service personnel.

Section 106: Existing law grants authority to the Agency to order employees for home leave upon "completion of 2 years' continuous service abroad." Section 106 would raise this to 3 years for posts which are roughly comparable to the United States and would authorize ordering an employee for home leave at 18 months in the case of hardship posts.

This same authority appears in the Foreign Service Act for Foreign Service personnel.

Section 107: Existing law permits the Agency to pay the travel expenses of employees who suffer illness or injury abroad to the nearest locality where a suitable hospital exists. I stress the word hospital. Sometimes hospitalization is not required but medical care is needed.

Section 107 would eliminate the limitation of hospitalization and substitute "medical care." The section also extends this benefit to dependents.

It also provides for the payment of the cost of treatment for such illness or injury of an employee and, in the case of dependents, pays the cost of treatment but with a \$35 deduction and a maximum limitation of 120 days of treatment. This limitation does not apply where it is determined that the illness or injury is caused by the fact of location of the dependent in the foreign area. The extension of both travel and treatment expenses to dependents is new.

This benefit is one provided in the Foreign Service Act for Foreign Service personnel and their dependents.

Section 108: Section 108 would permit necessary orientation and language training for members of an employee's family where this is considered necessary because of the particular duties of the employee at the new assignment post. Normally this training would be restricted to the employee's wife.

This authority is provided in the Foreign Service Act for Foreign Service personnel, but is new for the CIA.

Section 109: The CIA uses the National Security Act of 1947 to appoint advisory committees and other advisory personnel. Section 109 would place this authority in the CIA Act itself and would also remove the limitation of \$50 per day. The AEC, FAA and NASA can, for example, go up to \$100 per day. Payment under the new language in section 109 would have an upper limit of \$100 per day.

Section 110: Section 110 would provide a new authority for the Agency which would permit an individual to transfer from another department or agency to CIA for a specified time, agreed upon by the two agencies, and upon completion of the assignment afford the individual statutory protection in reemployment.

Testimony before the committee indicated that this authority would be of considerable assistance in filling critical engineering and scientific disciplines during emergencies.

Similar authority is provided in the Foreign Service Act.

Section 111: Section 111 provides a new authority relating to the settlement of claims abroad. Today CIA has no authority to settle claims for loss of or damage to real or personal property or for personal injury or death. This section would provide that authority to an upper limit of \$10,000. This kind of authority in one form or another is available to the State Department and to the military departments.

TITLE II

Section 201: This section merely provides a short title for title II. Incidentally, all of title II deals with the Central Intelligence Agency Retirement Act. It should be understood that the Central Intelligence Agency has two retirement systems: the regular civil service retirement for the vast majority of its employees and its own CIA retirement system for a relatively small number of employees.

Section 202: Section 202 does three things:

First, it eliminates the requirement that a child be dependent upon a parent retiree in order to receive a survivor annuity. The present definition of a child requires that the child receive more than half his support from the participant to be eligible. This requirement could defeat a survivor annuity based on the service of a working mother. This support requirement was eliminated from the Civil Service Retirement Act by the 89th Congress.

Second, it also raises from 21 to 22 the maximum age for receiving survivor annuity payments as a student and increases from 4 to 5 months as the maximum absence from school which may be permitted without terminating the survivor annuity. This will aid survivor children enrolled in tri-mester programs to secure employment and earn money without losing their annuity.

This same action was taken by the 89th Congress for student beneficiaries under the Civil Retirement Act.

Lastly, it permits a natural child to share in the distribution of any money

in the CIA retirement and disability fund. The act today clearly permits a natural child to receive an annuity but it is not entirely clear with respect to lump-sum benefits. This would correct this deficiency.

A similar provision amending the Civil Service Retirement Act was approved by the 89th Congress.

Section 203: This section permits the annuity of a widow or a dependent widower to continue in the event of remarriage. This is similar to the law applicable to survivor annuitants under the Foreign Service Act and is in keeping with the plan approved by the 89th Congress for survivor annuitants under the Civil Service Retirement Act.

Section 204: This section provides for the commencement and termination date for a child survivor annuity and assures that the survivor annuity of a student may be resumed even though it had previously been terminated, as for example because of military service. Today, once an annuity has been terminated because of an absence between school terms in excess of the maximum absence authorized, the annuity cannot be resumed.

A similar amendment to the Civil Service Retirement Act was approved by the 89th Congress.

Section 205: This section makes a technical change in the law which will authorize the commencement of an annuity as soon as the individual enters a nonpay status. Under existing law, an annuitant must wait until the beginning of the month following his date of separation.

This will conform the CIA retirement system to the civil service retirement system in this respect.

Section 206: Under existing law, an individual who transfers into the CIA retirement fund from some other Government retirement system can transfer his contributions from the other fund to the CIA fund, but there is no provision for transfer of the Government contribution to such fund.

Also, when an individual transfers from the CIA retirement fund to some other Government retirement fund, there is no provision for the transfer of either the Government's contribution or his own contribution to the non-CIA retirement fund. This section would correct the inequities of this situation.

The Civil Service Commission is wholly in accord with this change.

Section 207: The small group of employees who are under the CIA Retirement Act retire, on the whole, some 10 years earlier than employees under the Civil Service Retirement Act. These retirees therefore, with few exceptions, will need to seek a second career. They do not acquire status in the competitive service and much of their experience and competence cannot be readily related to normal Government positions. It is probable, therefore, that they would have to accept a Government position, at least initially, several grades below their position in the CIA at the time of retirement. This section would authorize an annuitant who is retired from the Agency to be reemployed in the Government and to

retain the salary of the new position, plus so much of his annuity, which when added to the new salary, would not exceed his salary at the time of retirement.

For example, if a CIA GS-13—salary of \$12,893—retires with an annuity of \$6,000 and then enters other Federal employment at the GS-11 level—salary \$9,221—he would actually receive only \$3,221 for his services. This section would permit the retiree to receive his earned salary of \$9,221 plus \$3,652 of his \$6,000 annuity bringing him up to his previous salary level of \$12,873.

I want to point out again that this relates to very few people and to people who have been engaged in unconventional activities. I want to point out, too, that a retired military reservist can retain both his civilian salary and his entire annuity and that a retired regular officer can retain his salary plus the first \$2,000 of his annuity and 50 percent of the balance of it.

Section 208: This section will bring the cost-of-living provision of the Agency's Retirement Act into line with provisions which currently apply to civil service and military retirees. During the 1st session of the 89th Congress, the cost-of-living provision for military retirees was amended to gear increases to quarterly rather than average calendar year Consumer Price Indexes. Later in that session similar legislation for the benefit of the entire Civil Service System was approved.

TITLE III

Section 301: The Central Intelligence Agency is now excluded from the Federal Employees Pay Act of 1945, as amended, by regulation of the Civil Service Commission but not by law. This section would exclude the CIA by law.

The Agency has developed a salary administration program which adheres closely to the principles and standards of the Classification Act regarding the classification of positions, establishment of entry salary rates, and the grant of merit and quality step increases, and conforms generally to the principles and standards of the Pay Act regarding premium pay and hours of work. However, it has been necessary for the Agency to deviate somewhat from the specific practices required by the act to accommodate peculiar problems inherent in its mission and functions.

Mr. Speaker, let me repeat what I said at the beginning—that there is virtually nothing new in the bill in the sense that the authorities provided by it are in virtually every instance already provided to other Government employees. The bill is little more than an attempt to help the CIA to catch up with a number of recently enacted laws—some of them in this Congress—which, when enacted, did not encompass the Central Intelligence Agency.

I urge support—indeed, wholehearted support—of this bill as a step toward making the laws which apply to the CIA the same as and equal to the laws applying to our other Government employees—or in other words, the bill merely seeks a general uniformity in the law.

Mr. ARENDS. Mr. Speaker, the gentleman from Massachusetts has presented a comprehensive picture of what this bill will do. As he said, the main design of the bill is to grant to the Central Intelligence Agency—and in some instances to its employees—authority and benefits which are now available to other Government agencies. I would like to stress that there is nothing really new in the bill at all. We are helping the Central Intelligence Agency, so to speak, to catch up with recent laws which covered civil service employees and the Foreign Service employees of the State Department but which did not include the CIA. Really the bill is nothing more than that.

I am aware that the CIA has come in for some bad publicity from time to time but I feel that—the American people being what they are—this is to be expected. Of course a mistake has been made here and there and I am sure that there is no one on the floor of the House today who will not agree that this could also be said of every other department of the executive branch. It happens that in my position as a member of the Subcommittee on the Central Intelligence Agency that I know of the many successes which, because of their nature, have not received publicity.

Overall the record of the Central Intelligence Agency is an amazingly fine one and we must keep in mind that many of the stories which have been circulated about it are deliberate plants by the Soviet Union. For example, a favorite device is to place a small item in some iron curtain country newspaper and wait for it to be picked up by the western press. It frequently is and like all stories connected with intelligence agencies, it grows on its own feeding.

On the whole the American public has been vastly misled with respect to the Central Intelligence Agency. It is pictured as an "invisible government" operating on its own and without regard to overall governmental policy. Nothing could be further from the truth. It is a tightly supervised organization not only within itself but from the higher levels of the executive branch, also. I frequently feel that it is a shameful thing that we can be so easily duped by our enemies into suspicion of those who are doing such an outstanding job for us. I suppose that this is to be expected in view of the necessary secretiveness of its activities. There is a natural suspicion that it attached to anything that isn't free and clear and above board. But I can give you my personal assurance that this is one of the finest organizations in our Government and is doing an outstanding job in a field that is complex almost beyond understanding. I feel I speak with some authority here.

As I mentioned before, it has made its mistakes—and who has not—but as our late President put it, "Victory has 100 fathers but defeat is an orphan." And in this statement lies the key of any program such as the CIA. Its successes are naturally hidden. Its defeat frequently are spread across the press of the world.

A word about costs. It is—I must concede—a rather rare thing that the Armed Services Committee brings before the House legislation which involves as little money as this does. We are accustomed to procurement bills for \$15, \$16, or \$17 billion. A single airplane costing \$4, \$5, or \$6 million is not unusual. An aircraft carrier in the order of \$400 million has become almost commonplace. But this bill will cost—as closely as it can be estimated—something less than \$240,000 for its first year and there is no reason to believe that this amount will be substantially exceeded in the years to come.

So here we have a piece of legislation that would not be necessary at all if other recent laws had been so drafted as to include the Central Intelligence Agency. I am referring, of course, to the civil service laws and the laws relating to the Foreign Service personnel of the State Department.

Perhaps typical of the kind of authorities in this bill is the very simple one of permitting the settling of a claim in an automobile accident or some other destruction of property or injury to a person overseas. The State Department has it—the military has it—but, whether through inadvertence or something else, the CIA ends up not having this kind of authority.

It is a simple, good, and necessary piece of legislation and I urge everyone to support it.

(Mr. ARENDS asked and was given permission to revise and extend his remarks.)

The SPEAKER pro tempore. The question is on the motion of the gentleman from Massachusetts that the House suspend the rules and pass the bill H.R. 16306 as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.